

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 IO-11 OIC-02 AF-06 ARA-06 EA-07

NEA-10 CCO-00 CIAE-00 OTPE-00 FCC-01 INR-07 NSAE-00

OC-05 USIA-06 COME-00 BIB-01 DODE-00 DOTE-00 FMC-01

CG-00 OFA-01 DLOS-04 L-03 PA-01 PRS-01 SP-02 ACDA-05

PM-04 NASA-01 NSC-05 OES-03 /113 W

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R 021540Z EAR 76

FM AMEMBASSY LONDON

TO SECSTATE WASHDC 9454

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E.O. 11652: N/A

TAGS: ETEL, PORG, IMCO

SUBJECT: INMARSAT CONFERENCE - SECOND SESSION:
FINAL REPORT

REF: LONDON 3149

SUMMARY: SECOND SESSION INMARSAT CONFERENCE ENDED EARLY HOURS FEBB. 28 WITH ADOPTION OF SESSIONAL ACT NOTING THAT SECOND SESSION APPROVED COMPLETE TEXTS OF ALL ARTICLES OF OPERATING AGREEMENT AND ITS ANNEX AND TEXTS OF ALL ARTICLES OF CONVENTION EXCEPT PARA 3 OF ARTICLE 13 BIS (VOTING LIMIT), PARA 5 OF ARTICLE 37 (RESERVATIONS), AND ARTICLE 43 (LANGUAGES). THIRD SESSION TO BE HELD AT IMCO HEADQUARTERS, LONDON SEPTEMBER 1 TO 3, 1976 TO COMPLETE WORK, END SUMMARY.

1. FINAL SESSION OF PLENARY OPENED AFTERNOON FEB. 27. ARTICLE 37 DEQCRIBING STATES TO WHICH CONVENTION WILL BE OPEN FOR SIGNATURE RESOLVED WITH AGREEMENT THAT ANY QUESTION OF STATUS OF "STATE" WILL BE REFERRED BY IMCO
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SEC GEN TO IMAO ASSEMBLY UNTIL INMARSAT CONVENTION
ENTERS INTO FMRCE AND THEREAFTER TO INMARSAT ASSEMBLY.

2. UK PROPOSED RESOLUTION (CONF/24/ADD.1) ACCEPTING
INVITATION OF UK TO ESTABLISH INMARSAT HEADQUARTERS AT
LONDON AND AUTHORIZING PREPARATORY COMMITTEE TO CONDUCT
PRELIMINARY NEGOTIATIONS WITH UK IN ORDER TO PREPARE
DRAFT HQS AGREEMENT FOR CONSIDERATION BY ORGANIZATION
ADOPTED.

3. ARTICLE 5 OF CONVENTION (OTHER SPACE SEGMENTS)
ADOPTED. ARTICLE, WHICH IS ALONG LINES WANTED BY U.S.,
REQUIRES NOTIFICATION OF PLANS FOR SEPARATE SPACE SEG-
MENT FACILITIES IN ORDER TO ENSURE TECHNICAL COMPATI-
BILITY AND AVOID ECONOMIC HARM TO INMARSAT. EXISTING
AND NATIONAL SECURITY FACILITIES EXCEPTED. USSR
RESISTED ARTICLE IN CONTACT GROUP UNTIL FRIDAY AFTER-
NOON.

4. COMPROMISE ARTICLES ON LIABILITY (26 AND X TER (BIS))
ADOPTED.

5. DOCUMENT MARSAT/CONF/D/4 (INTERIM ARRANGEMENTS),
INCLUDING RESOLUTION, ADOPTED. ORIGINAL PARA (7)(2)(10)
(US PROPOSAL ON STUDY OF JOINT AERONAUTICAL/MARINE
SATELLITE) DELETED FROM INTERIM ARRANGEMENTS AND IS
COVERED BY SEPARATE RECOMMENDATION; CANADIAN AMENDMENT
TO PARA (7)(2)(A) TO GIVE MORE PROMINENCE TO RADIO
DETERMINATION AND SAFETY AND DISTRESS COMMUNICATIONS
ADOPTED. PARA (4) OF D/4 (OBSERVERS) DELETED) AFTER
ATTEMPT BY USQR AND LDCS TO HAVE LANGUAGE ALTERED TO
ALLOW OBSERVER STATES NOT IN ATTENDANCE AT CONFERENCE
OR NOT PARTICIPATING IN PREPARATORY COMMITTEE TO ATTEND
PREP COM MEETINGS. AFTER DELETION OF PARA (4), SEVERAL
SPEAKERS NOTED OBSERVERS CAN STILL BE INVITED TO PARTIC-
IPATE UNDER TERMS OF PARA (L7) IF PREP COM SO DECIDES.

6. COUNCIL COMPOSITION (ARTICLE 13) CONF/D/1/ADD.5
AGREED AT 22 MEMBERS INCLUDING 18 HAVING LARGEST INVEST-
MENT SHARES PLUS 4 SIGNATORIES CHOSEN BY ASSEMBLY FROM
THOSE NOT OTHERWISE REPRESENTED TAKING INTO CONSIDERA-
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TION JUST GEOGRAPHICAL REPRESENTATION AND INTERESTS OF

7. ARTICLE V (INVESTMENT SHARES) (CONF/D/2) INCLUDING
ANNEX (CONF/D/2/ADD.2) INDICATING INITIAL SHARES OF
100.02 PERCENT ADOPTED. IN THIS CONNECTION,
ARTICLE 39(1) AMENDED TO STATE THAT CONDITION OF ENTRY

INTO FORCE IS THAT STATES REPRESENTING 95 PERCENT OF
THE INITIAL INVESTMENT SHARES SHALL HAVE BECOME PARTIES.

8. DOCUMENT CONF/D/3/ADD.1, RECOMMENDATION THAT ARRANGE-
MENTS BE MADE FOR EARLY STUDY OF CONSEQUENCES OF USE BY
INMARSAT OF MULTIPURPOSE SATELLITES PROVIDING BOTH
MARITIME AND AERONAUTICAL CAPABILITY AS PROPOSED BY US,
WAS ADOPTED.

SPIERS

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9. US PROPOSAL TO AMEND ARTICLE 30 LANGUAGE
(CONF/D/1/ADD.2) TO FOLLOW INTELSAT WORDING ON EXEMPTION
FROM CUSTOMS DUTIES OF SPACE SEGMENT DEFEATED WHEN VOTE
FAILED TO ACHIEVE NECESSARY TWO-THIRDS (13 (US) -
8 (USSR) - 21) IN SPITE OF STRONG U.S. STATEMENT THAT
ADOPTION OF EXISTING CONF/D/1/ADD.2 LANGUAGE COULD MAKE

PARTY TO INMARSAT.

10. ARTICLE 43 (LANGUAGES) CONF/D/1/ADD.2 FAILED TO BE
APPROVED BY RMLL CALL VOTE (25 - 15 (US) - 3) ON BASIS

THAT THIS ISSUE CAN BE DECIDED BY INMARSAT AFTER ORGANIZATION COMES INTO BEING. LDCS AND SOCIALIST BLOC MADE STRONG PUSH TO ADOPT ARTICLE WHICH INCLUDED ARABIC AS "OFFICIAL" LANGUAGE IN ADDITION TO ENGLISH, FRENCH, RUSSIAN AND SPANISH AS OFFICIAL AND WORKING LANGUAGES. HOWEVER, MATTER ULTIMATELY WAS LEFT OPEN FOR SEPTEMBER MEETING IN RESPONSE TO IMPASSIONED ORATORY OF SPANISH AND ARABIC SPEAKING COUNTRIES IN CLOSING HOUR OF SESSION.

11. ARTICLE 37 (RESERVATIONS): PROPOSAL BY U.S.
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(CONF/WP.24) TO INSERT IN PARA (5) ARTICLE 37 - "NO RESERVATION MAY BE MADE TO THIS CONVENTION" WITHDRAWN BY U.S. AFTER AGREEMENT THAT THIS POINT WILL BE CONSIDERED AT 3RD SESSION OF CONFERENCE.

L2. ARTICLE 13 (BIS) PARA (3) (COUNCIL - PROCEDURE) AMENDMENT (CONF/WP.23) INTRODUCED BY SOCIALIST STATES TO PROVIDE VOTING LIMIT IN COUNCIL OF 20 PERCENT FOR ANY ONE MEMBER LED TO CONSIDERABLE DEBATE DURING FINAL DAYS OF CONFERENCE IN CONTACT GROUP OF MAJOR PARTICIPANTS AND IN FINAL PLENARY. USSR MAINTAINED 20 PERCENT MAXIMUM IT COULD ACCEPT AND NOT WILLING TO TRY TO HAVE INSTRUCTIONS ALTERED. IN VIEW OF SOVIET INFLEXIBILITY, U.S. HELD OUT FOR 30 PERCENT VOTE LIMIT. COMPROMISE AT 25 PERCENT SUGGESTED BY PRESIDENT IN CONTACT GROUP AND NETHERLANDS DURING PLENARY DID NOT INTEREST USSR. VOTE ON WP.24 (15 (USSR), 13 (US), 15) PRODUCED SITUATION IN WHICH NO PROVISION ON COUNCIL VOTING PRESENTLY IS IN CONVENTION. A SECOND VOTE ON PROPOSAL BY USSR TO INSERT 20 PERCENT IN PARA (3) ARTICLE 13 (BIS) IN TEXT FOUND IN CONF/13 DOCUMENT ALSO FAILED (13 (USSR), 7 (US), 19) AND BRITISH PROPOSAL TO VOTE INVESTMENT SHARES WITHOUT LIMIT FAILED (16 (US), 13 (USSR), 14).

L3. AFTER UNSUCCESSFUL CONSIDERATION OF VOTING LIMIT ISSUE, CHAIRMAN NOTED CONFERENCE COULD NOT COMPLETE WORK AT PRESENT SESSION. DOCUMENT CONF/D/12 - SESSIONAL

EDITORIAL CHARGES. SESSIONAL ACT NOTES CONFERENCE APPROVED COMPLETE TEXTS OF ALL ARTICLES OF CONVENTION WITH EXCEPTION OF PARA (3) ARTICLE 13 BIS (NEW 14), PARA 5 ARTICLE 37, AND ARTICLE 43 AND COMPLETE TEXT OF ALL ARTICLES OF OPERATING AGREEMENT AND ITS ANNEX. THIRD SESSION TO BE HELD 1 TO 3 SEPTEMBER 1976 IN LONDON (IMCO HEADQUARTERS) TO REACH AGREEMENT ON PARAS NOTED ABOVE "... MAKING CONSEQUENTIAL AMENDMENTS AND ANY NECESSARY ADJUSTMENTS TO TIMING...". TIMING RELATES TO DATE OF OPENING FOR SIGNATURE AND DATE OF FIRST MEETING

OF PREPARTORY COMMITTEE.

14. SECOND SESSION OF INMARSAT CONFERENCE ADJOURNED
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JUST AFTER 1:00 A.M. FEB. 28. SPIERS

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